



EAST INDIA (CONSTITUTIONAL REFORMS)

Trade and Immigration Relations between India and Burma after the Separation of Burma

*Presented by the Secretary of State for India to Parliament
by Command of His Majesty
August 1935*

Bxe 153

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :

Adastral House, Kingsway, London, W.C.2 ; 120 George Street, Edinburgh 2 ;

York Street, Manchester 1 ; 1 St. Andrew's Crescent, Cardiff ;

80 Chichester Street, Belfast ;

or through any Bookseller

1935

Price 2d. Net

Cmd. 4985

NOTE BY THE SECRETARY OF STATE FOR INDIA.

The Government of India and the Government of Burma have reached agreement on the subject of the trade relations between India and Burma in the period immediately following the separation of Burma from India and on the subject of the regulation of immigration into Burma from India after separation. His Majesty's Government think it desirable that the results of these agreements should be published forthwith.

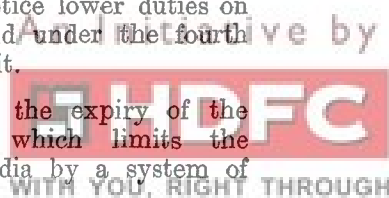
2. For convenience the agreements have been drawn up by the two Governments in the form of provisional drafts of the Orders in Council to be made under Sections 160, 453 and 456 of the Government of India Act, 1935. These provisional drafts are published for information. His Majesty's Government will in due course present draft Orders in Council for the consideration and approval of both Houses of Parliament under the procedure prescribed by Sections 309 and 475 of the Act.

3. The Immigration Agreement is self-explanatory, but it may be convenient to summarise briefly the purport of the principal articles of the Trade Agreement.

4. The effect of Articles 3 and 5 of the Trade Agreement is to ensure, subject to a proviso in respect of certain goods and the application of Article 10 in respect of duties corresponding to excises, that Indian goods shall enter Burma free of duty and without restriction and vice versa, without qualification other than that contained in Schedule I to the Agreement.

5. The effect of Article 6 is to provide that the tariff schedules in operation at the date of the separation of Burma from India shall remain effective in both countries in respect of goods imported into either from other countries. Under the first proviso to this Article duties upon goods imported from other countries may be lowered by either party to the Agreement with the consent of the other. Under the second proviso such consent is not required in the case of the employment either by the Governor-General of India or the Governor of Burma of the powers to reduce duties enjoyed under the present Indian Tariff Act and Sea Customs Act, but it is understood that the use of those powers should be limited as at present to the purposes of giving relief in the case of individual importations of giving temporary relief for special purposes to particular classes of commodities. Under the third proviso either country may on two months' notice lower duties on goods not produced in the other country, and under the fourth proviso the second country may then follow suit.

6. Article 12 provides that if India, after the expiry of the present Indo-Japanese Cotton Agreement, which limits the importation of Japanese cotton goods into India by a system of



quotas, again imposes a limit on the quantity of Japanese cotton piece goods that may be imported into British India, Burma shall, during the currency of the Trade Agreement with India, limit the importation of such goods into Burma to a quantity not exceeding that imported in 1934-5.

7. The purpose of Article 7 is perhaps not self-evident. Its purpose is to secure that tea, cotton or lac produced in India and shipped duty free to Burma under the provisions of Article 3 does not escape the levy of cess on re-export from Burma, and vice-versa.

8. Each Agreement is to remain in force for three years, and, if not then terminated by due notice having been given by either party to the Agreement embodied in the Order, will remain in force subject to termination on twelve months' notice (Article 17 of the draft Trade Order and Article 4 of the draft Immigration Order).

9. The Trade Agreement (Article 21) contains provision for its application to Indian States and the Immigration Agreement (Article 6) contains similar provision in respect of the subjects of Indian States.

PROVISIONAL DRAFT INDIA AND BURMA TRADE REGULATION ORDER

WHEREAS by sections 160 and 453 of the Government of India Act, 1935, His Majesty in Council is empowered, for the purpose of preventing undue disturbance of trade between India and Burma in the period immediately following the separation of India and Burma and of safeguarding the economic interests of Burma during that period to give such directions as he thinks fit with respect to the duties which are, while the Order is in force, to be levied on goods imported into or exported from India or Burma and with respect to ancillary and related matters;

AND WHEREAS the Governor-General of India in Council and the Governor of Burma in Council have come to an agreement in the matter;

NOW THEREFORE His Majesty is pleased by and with the advice of his Privy Council to order and it is hereby ordered as follows:—

1. This Order may be cited as the India and Burma Trade Regulation Order, 1935.

2. This Order shall come into force on the date with effect from which Burma shall be separated from India (hereinafter referred to as the date of separation).

3. Except as otherwise provided in this Order—

(1) no customs duties or cesses shall be leviable in British India on goods imported from or exported to Burma by sea other than those, if any, leviable at the date of separation; and

(2) no customs duties or cesses shall be leviable in Burma on goods imported from or exported to British India by sea other than those, if any, leviable at the date of separation:

Provided that this Article shall not apply to—

(a) opium, salt, salted fish, or spirit, or

(b) goods brought in bond, or

(c) goods brought from a place beyond the limits of British India and Burma to a port in British India or in Burma and without payment of duty, there transhipped for, or thence carried to, and imported at, a port in the other country.

4. Except as otherwise provided in this Order—

(1) all goods imported from or exported to a customs port in Burma to or from a customs port in British India shall be deemed, for the purposes of the Sea Customs Act, 1878, to be goods imported from or exported to another customs port in British India, as the case may be; and

(2) all goods imported from or exported to a customs port in British India to or from a customs port in Burma, shall be

deemed, for the purposes of the Sea Customs Act, 1878, to be goods imported from or exported to another customs port in Burma, as the case may be.

5.—(1) No prohibitions or restrictions other than of the nature specified in Schedule I to this Order shall be imposed on the bringing of any goods into British India from Burma or the taking of any goods from British India to Burma.

(2) No prohibitions or restrictions other than of the nature specified in Schedule I to this Order shall be imposed on the bringing of any goods into Burma from British India or the taking of any goods from Burma to British India.

6. The customs duties and cesses levied at the date of separation on goods imported into India or Burma from other countries or exported from India or Burma to other countries may be reduced in either country with, but not without, the previous consent of the Governor-General or Governor of the other country, as the case may be :

Provided, first, that should either of these authorities seek the consent of the other to a reduction of the customs duty leviable on any class of goods, such consent shall not be unreasonably withheld :

Provided, secondly, that the provisions of this Article shall not apply to any reduction of duties made under Article 11 :

Provided, thirdly, that in the case of classes of goods which at the date of separation are not produced or manufactured in Burma, the Governor-General of India, after giving two months' notice of his intention to the Governor of Burma, may reduce the customs duties levied on such goods when imported into British India from other countries, and that in the case of classes of goods which at the date of separation are not produced or manufactured in India, the Governor of Burma after giving two months' notice of his intention to the Governor-General of India, may reduce the customs duties levied on such goods when imported into Burma from other countries :

Provided, fourthly, that if under the last preceding proviso the Governor-General of India should reduce the customs duties levied on any goods, the Governor of Burma may similarly reduce the customs duties levied on such goods, and if the Governor of Burma should reduce the customs duties levied on any goods the Governor-General of India may similarly reduce the customs duties levied on such goods.

7. For the purposes of section 3 of the Indian Tea Cess Act, 1903, section 3 of the Indian Cotton Cess Act, 1923, and section 3 of the Indian Lac Cess Act, 1930, tea, cotton or lac produced in Burma shall in India be deemed to have been produced in India, and tea, cotton or lac produced in India shall in Burma be deemed to have been produced in Burma.

8.—(1) Should at any time the cess leviable under any of the Acts referred to in Article 7 on any goods when exported from British India be higher than the cess leviable on such goods when exported from Burma, the Governor-General of India may levy on such goods when exported from British India into Burma a cess equal to the difference between the cesses leviable in British India and Burma.

(2) Should at any time the cess leviable on any goods when exported from Burma, such goods being goods on which a cess is leviable under any of the Acts referred to in Article 7 when exported from British India, be higher than the cess so leviable in British India, the Governor of Burma may levy on such goods when exported from Burma into British India a cess equal to the difference between the cesses leviable in Burma and British India.

9.—(1) Should at any time the customs duty leviable on any foreign goods when imported into British India be higher than the customs duty leviable on such foreign goods when imported into Burma, the Governor-General of India may levy on such foreign goods when imported into British India from Burma a customs duty equal to the difference between the duties leviable in British India and Burma.

(2) Should at any time the customs duty leviable on any foreign goods when imported into Burma be higher than the customs duty leviable on such foreign goods when imported into British India, the Governor of Burma may levy on such foreign goods when imported into Burma from British India a customs duty equal to the difference between the duties leviable in Burma and British India.

10.—(1) Should an excise duty be leviable in British India at the date of separation on any goods, the Governor-General of India may levy a countervailing duty on such goods, the produce or manufacture of Burma when imported into British India; and should an excise duty be leviable in Burma at the date of separation on any goods, the Governor of Burma may levy a countervailing duty on such goods, the produce or manufacture of British India when imported into Burma:

Provided that in the case of steel ingots and articles manufactured therefrom the countervailing duty, if any, shall be at a rate not exceeding the appropriate rate of refund prescribed in section 7 of the Iron and Steel Duties Act, 1934.

(2) Should at any time the excise duty leviable in British India on any goods be increased, reduced or abolished, the countervailing duty leviable on such goods, the produce or manufacture of Burma when imported into British India, shall be correspondingly increased, reduced or abolished:

Provided that the advantage enjoyed by Burma in British India at the date of separation in respect of such goods, other than the commodities and articles mentioned in Item 40 of the Provincial

Legislative List in the Seventh Schedule to the Government of India Act, 1935, as against imports from other countries is not reduced.

(3) Should at any time the excise duty leviable in Burma on any goods be increased, reduced or abolished, the countervailing duty leviable on such goods, the produce or manufacture of British India when imported into Burma, shall be correspondingly increased, reduced or abolished :

Provided that the advantage enjoyed by British India in Burma at the date of separation in respect of such goods, other than the commodities and articles mentioned in Item 40 of the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935, as against imports from other countries is not reduced.

(4) Should at any time a new excise duty be imposed in British India on any goods produced or manufactured therein, the Governor-General of India may levy a countervailing duty on such goods, the produce or manufacture of Burma when imported into British India :

Provided that the advantage enjoyed by Burma in British India at the date of separation in respect of such goods, other than the commodities and articles mentioned in Item 40 of the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935, as against imports from other countries is not reduced.

(5) Should at any time a new excise duty be imposed in Burma on any goods produced or manufactured therein, the Governor of Burma may levy a countervailing duty on such goods, the produce or manufacture of British India when imported into Burma :

Provided that the advantage enjoyed by British India in Burma at the date of separation in respect of such goods, other than the commodities and articles mentioned in Item 40 of the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935, as against imports from other countries is not reduced.

11. Nothing contained in this Order shall be construed as restricting in any way the exercise by the Governor-General of India, or the Governor of Burma of any of the powers conferred by section 23 of the Sea Customs Act, 1878, or by the Indian Tariff Act, 1934 :

Provided that in the exercise of any of these powers each of these authorities shall have due regard to the interests of the other country and to the principles underlying the provisions of this Order and shall before exercising any of these powers ordinarily consult the other authority.

12. Should the Governor-General of India after 31st March 1937 impose a limit on the quantity of Japanese cotton piece-goods that may be imported into British India, the Governor of Burma shall

also impose a limit on the quantity of such goods that may be imported into Burma. The maximum quantity so permitted to be imported into Burma in any year shall not exceed the total quantity of Japanese cotton piece-goods imported into and retained in Burma during the financial year 1934-35, goods imported into Burma and subsequently re-exported not being taken into account. The Governor of Burma may from time to time divide into categories the quantity so limited and may provide for transfers between categories.

13. Notwithstanding anything contained in this Order, the Governor-General of India may prescribe the duties to be levied on goods imported from or exported to foreign countries across the land frontiers of India, and the Governor of Burma may prescribe the duties to be levied on goods imported from or exported to foreign countries across the land frontiers of Burma :

Provided that in prescribing such duties and in the administration of the land customs each of these authorities shall have due regard to the principles underlying the provisions of this Order and shall, so far as local conditions permit, safeguard the interests of the other country, if the import of any class of foreign goods across the land frontier otherwise than on payment of the duties leviable on similar goods imported by sea affects or is likely to affect seriously the advantages enjoyed by the other country under the provisions of this Order.

14. The Governor of Burma may impose on rice exported to India a duty not exceeding that imposed on rice exported to other countries.

15. The provisions of the Sea Customs Act, 1878, and of any rules made thereunder relating to coasting vessels and to goods imported or exported in such vessels shall continue to be applied to vessels plying between ports in India and ports in Burma.

16. Ships employed in trading between ports in India and ports in Burma shall both in India and Burma be deemed to be " home trade ships " and " coasting ships " for the purposes of the Indian Merchant Shipping Act, 1923, and ships which prior to the date of separation were entitled to exemption under section 218 of the said Act from the provisions of that Act relating to load lines shall continue to be so entitled.

17. This Order shall remain in force for three years from the date of separation :

Provided that in case neither the Governor-General of India nor the Governor of Burma shall have given notice to the other twelve months before the expiry of this period of his intention to terminate the operation of this Order, the Order shall continue in force until the expiry of twelve months from the date on which such notice shall have been given.

18. In the event of any dispute between the Governor-General of India and the Governor of Burma as to the interpretation or application of any of the provisions of this Order, the matter shall be referred to one of His Majesty's Principal Secretaries of State, whose decision shall be final.

19. For the purposes of this Order the expression "foreign goods" means goods which are the produce or manufacture of any country other than British India or Burma.

20. For the purposes of this Order, goods shall be deemed to be the produce or manufacture of British India or of Burma which satisfy the following conditions :—

(1) where the goods are unmanufactured, that they have been grown or produced in British India or in Burma, as the case may be ;

(2) where the goods are manufactured—

(i) that they have been wholly manufactured in British India or in Burma, as the case may be, from material wholly produced in that country ; or

(ii) that they have been wholly manufactured in British India or in Burma, as the case may be, from unmanufactured material ; or

(iii) that they have been partially manufactured in British India or in Burma, as the case may be, and that the final process of manufacture has been performed in that country and that the expenditure on material produced and labour performed in that country in the manufacture of that article is not less in the case of an article specified in Schedule II to this Order than one-half and in the case of other articles than one-quarter of the factory or works cost of the article in its finished state.

Explanation.—For the purposes of condition (2) (iii) the final process of manufacture shall not be deemed to have been performed in either country in which no process other than a process of mixing, bottling, labelling, packing into retail containers or the like has been performed, but where such process as aforesaid has been performed in the country in which the final process of manufacture has also been performed, nothing herein shall render the cost of such process ineligible for inclusion in the computation of the fraction of the factory or works cost of the article in its finished state which represents the expenditure on material produced and labour performed in that country.

21. If and so long as any Indian State, having declared its adherence to the terms of this order and of the India and Burma Immigration Order, 1935, continues to adhere thereto, the provisions of this order shall apply in respect of such State as they apply in respect of British India, but with the substitution for references in this Order to the Governor-General of India or the Governor-General, of references to the Ruler of such State.

SCHEDULE I.

1. Prohibitions or restrictions relating to public security.
2. Prohibitions or restrictions imposed on moral or humanitarian grounds.
3. Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies.
4. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites.
5. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historic or archaeological value.
6. Prohibitions or restrictions designed to extend to foreign products the régime established within the country in respect of the production of, trade in, and transport and consumption of, native products of the same kind.

SCHEDULE II.

1. Machinery and component parts thereof, meaning machines or parts of machines to be worked by manual or animal labour and any machines (except such as are designed to be used exclusively in industrial processes) which require for their operation less than one quarter of one brake-horse-power.
2. Carriages and carts which are not mechanically propelled and cycles (other than motor cycles) imported entire or in sections, and parts and accessories thereof; excluding rubber tyres and tubes.
3. Motor cars including taxicabs and articles (other than rubber tyres and tubes) adapted for use exclusively as parts and accessories thereof.
4. Motor omnibuses; chassis of motor omnibuses, motor vans and motor lorries; and parts of mechanically propelled vehicles and accessories excluding rubber tyres and tubes.

PROVISIONAL DRAFT INDIA AND BURMA IMMIGRATION ORDER.

WHEREAS by section 456 of the Government of India Act, 1935, His Majesty is empowered by Order in Council to direct that during such period as may be specified in the Order immigration into Burma from India shall be subject to such restrictions as may be specified in the Order (being such restrictions as may have been mutually agreed before the commencement of Part XIV of the said Act between the Governor-General of India in Council and the Governor of Burma in Council and approved by the Secretary of State) and no other restrictions ;

AND WHEREAS it is expedient that in the period immediately following the separation of Burma from India the mutual advantages which the two countries have derived from their close economic association should be continued ;

AND WHEREAS for this reason it is expedient that the entry of Indians into Burma and of Burmans into India should not be subject, immediately after the date of separation, to any restrictions other than restrictions of general application necessary in the interests of public health and public safety or restrictions necessary for the exclusion of undesirable individuals ;

AND WHEREAS the Governor-General of India in Council and the Governor of Burma in Council have come to an agreement in the matter ;

AND WHEREAS the restrictions so agreed upon have been approved by the Secretary of State ;

NOW, THEREFORE, His Majesty is pleased by and with the advice of His Privy Council to order and it is hereby ordered as follows :—

Article 1.—This Order may be cited as the India and Burma Immigration Order, 1935.

Article 2.—This Order shall come into force on the date with effect from which Burma is separated from India (hereinafter referred to as the date of separation).

Article 3.—There shall be no restrictions on the entry of Indians into Burma or of Burmans into India other than those in force on the date of separation ;

Provided that nothing herein contained shall limit the authority of the Governor-General of India or the Governor of Burma to exclude undesirable individuals or to impose regulations of general application in the interests of public health or public safety ;

Provided further that nothing herein contained shall limit the authority of the Governor-General of India to take any action that he may consider necessary in the discharge of the special responsibility laid upon him by the Government of India Act, 1935, for the

prevention of any grave menace to the peace or tranquillity of India or any part thereof or the authority of the Governor of Burma in the discharge of his corresponding responsibility in respect of Burma or any part thereof.

Article 4.—This Order shall remain in force for three years commencing on the date of separation ;

Provided that in case neither the Governor-General of India nor the Governor of Burma shall have given notice to the other 12 months before the expiry of this period of his intention to terminate the operation of this Order, the Order shall continue in force for 12 months from the date on which such notice shall have been given.

Article 5.—In this Order “ Indian ” means a British subject domiciled in India and “ Burman ” means a British subject domiciled in Burma.

Article 6.—If and so long as any Indian State, having declared its adherence to the terms of this Order and of the India and Burma Trade Regulation Order, 1935, continues to adhere thereto, the provisions of this Order shall apply in respect of the subjects of such State as they apply in respect of Indians, but with substitution for references in this Order to India and to the Governor-General of India of references to such State and to the Ruler thereof respectively.

STATUTORY RULES AND ORDERS

1936 No. 164

INDIA

THE GOVERNMENT OF INDIA (CONSTITUTION OF ORISSA) ORDER, 1936.

At the Court at Buckingham Palace, the 3rd day of March, 1936.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas it is provided by subsection (1) of section two hundred and eighty-nine of the Government of India Act, 1935^(a) (hereinafter in this Order referred to as "the Act"), that, as from such date as His Majesty may by Order in Council appoint, certain parts of the Province of Bihar and Orissa, the Presidency of Madras and the Central Provinces shall be separated from that Presidency and those Provinces and shall form a Governor's Province to be known as the Province of Orissa, and that thereafter the Province of Bihar and Orissa shall be known as the Province of Bihar :

And whereas by subsection (2) of the said section His Majesty is empowered by Order in Council to make other provision in connection with the establishment of the Province of Orissa :

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

PART I.

INTRODUCTORY.

1. This Order may be cited as "The Government of India (Constitution of Orissa) Order, 1936."

2. The Interpretation Act, 1889,^(b) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(a) 26 Geo. 5 & 1 Edw. 8. c. 2.

(b) 52 & 53 Vict. c. 63.

PART II.

DEFINITION OF ORISSA AND DATE OF SEPARATION.

3.—(1) The Province of Orissa (hereafter in this Order referred to as “Orissa”) shall consist of the areas specified in Part I of the First Schedule to this Order, and accordingly, as from the date of the coming into operation of the provisions of subsection (1) of section two hundred and eighty-nine of the Act relating to the formation of the Province of Orissa and the re-naming of the Province of Bihar and Orissa, those areas shall cease to form part of the Province of Bihar and Orissa, the Presidency of Madras and the Central Provinces respectively.

(2) The external land boundaries of Orissa shall be as described in Part II of the said Schedule.

(3) If any question arises with respect to the boundaries, as existing at the date of this Order, of any district, Agency, taluk, village, estate, forest or other area referred to in the said Schedule or otherwise with respect to the delimitation of the boundary of Orissa, that question shall be referred to the Governor-General, whose decision thereon shall be final.

4.—(1) The date on which the said provisions are to come into operation shall be the first day of April, nineteen hundred and thirty-six.

(2) The said date is hereafter in this Order referred to as “the appointed day,” and the period beginning on the appointed day and ending immediately before the commencement of Part III of the Act is hereafter in this Order referred to as “the transitional period.”

PART III.

PROVISIONS WITH RESPECT TO THE TRANSITIONAL PERIOD.

Duration.

5. The provisions of this Part of this Order shall have effect with respect to the transitional period.

Administration.

6. Save as provided by this Order, the Government of India Act and any Rules made thereunder shall apply in relation to Orissa as they apply in relation to other Governors' Provinces.

7. The Governor shall be appointed by His Majesty by warrant under the Royal Sign Manual, after consultation with the Governor-General, and there shall be paid to him an annual salary of sixty-six thousand rupees and such allowances as the Secretary of State in Council may determine.

8.—(1) Orissa shall be governed in relation to all provincial subjects by the Governor, and so much of the Government of India Act and the Rules made thereunder as relates to the classification of provincial subjects as reserved and transferred shall not apply to Orissa.

(2) The Governor shall have no executive council and any reference in Part IV of the Devolution Rules to the Governor in Council shall be construed as a reference to the Governor.

(3) The Governor shall be deemed for all purposes to be the local government of Orissa.

9.—(1) There shall be an advisory council consisting of not more than twenty members to be nominated by the Governor and of those persons not more than three shall be officials.

(2) The council may advise on all such matters as the Governor may refer to them.

(3) The business of the council shall be conducted by the council or its committees in such manner, and the council and its committees shall be presided over by such persons, as the Governor may direct.

(4) There shall be paid to the members of the Council such allowances as the Governor-General in Council may determine.

(5) So much of the Government of India Act and the Rules made thereunder as relates to legislative councils shall not apply to Orissa.

10.—(1) The Governor may, if he thinks fit, appoint one or more members of the advisory council to assist him in such manner as he thinks fit, and there shall be paid to any person so appointed such salary and allowances as may be fixed by the Governor-General in Council.

(2) Any such appointment shall be terminable at the pleasure of the Governor.

Legislation.

11. The provisions of section seventy-one of the Government of India Act (except subsection (4) thereof) shall apply to the whole of Orissa and regulations may be made thereunder accordingly.

Finance

12.—(1) The Governor shall, before or as soon as may be after the beginning of each financial year falling wholly or partly within the transitional period, cause a statement of the estimated annual receipts and expenditure of Orissa for that year together with proposals for appropriation of the revenues of Orissa to be laid before the advisory council for general discussion, but no item shall be submitted to the vote of the council; and after the discussion the Governor shall authenticate under appropriate heads the amounts of the appropriations, and thereupon expenditure may be undertaken accordingly.

(2) During any period in any financial year preceding the authentication aforesaid expenditure for that year may be undertaken in respect of such matters and within such limits as the Governor may from time to time by written order determine.

13. If in any financial year further expenditure from the revenues of Orissa becomes necessary over and above the expenditure authorised under the last preceding paragraph for that year, the Governor shall cause a supplementary statement showing the estimated amount of that expenditure to be laid before the advisory council, and the provisions of that paragraph shall apply with any necessary modifications with respect to that statement and that expenditure.

14. Subject to such instructions as the Governor-General in Council may issue, the Governor shall make such arrangements as he deems necessary for the control of expenditure out of the revenues of Orissa, and Part III of the Devolution Rules (which relates to finance departments) shall not apply to Orissa.

15.—(1) In the table of annual assignments for famine relief set out in paragraph one of Schedule IV to the Devolution Rules, for the entry—

“Bihar and Orissa 3,00,000 ”

here shall be substituted the following entry—

“Bihar 2,00,000 ”

and the following entry shall be added—

“Orissa 1,25,000 ”

(2) In the table of accumulated totals set out in paragraph five of the said Schedule IV, for the entry—

“Bihar and Orissa 15,00,000 ”

there shall be substituted the following entry—

“Bihar 10,00,000 ”

and the following entry shall be added—

“Orissa 10,00,000 ”

16. There shall be a Revenue Commissioner for Orissa, who shall discharge such functions as the Governor may, with the previous sanction of the Governor-General in Council, from time to time assign to him, and any provision in force immediately before the appointed day contained in or made under any enactment shall have effect accordingly :

Provided that any revenue appeals pending immediately before the appointed day before the Bihar and Orissa Board of Revenue shall be continued and disposed of as if the Division of Orissa had continued to be part of the Province of Bihar and Orissa.

Other Matters.

17. The Governor may by notification in the local official gazette direct what officer (other than the Revenue Commissioner)

is to exercise in Orissa any functions exercisable by virtue of any provision in force immediately before the appointed day contained in or made under any enactment, and any such provision shall have effect accordingly.

18. The provisions of the Second Schedule to this Order shall have effect with respect to the legislative councils of the Governors' Provinces from which areas are separated by this Order.

PART IV.

MISCELLANEOUS.

19.—(1) The High Court at Patna shall be the High Court for the whole of Orissa and shall—

- (a) in respect of the areas transferred to Orissa from the Province of Bihar and Orissa, retain such jurisdiction as it had immediately before the appointed day ;
- (b) in respect of such areas in Orissa as, immediately before the appointed day, were under the jurisdiction of any other High Court, have such jurisdiction as that other High Court had immediately before the appointed day ;

and the jurisdiction of any such other High Court in any such area in any matter in which jurisdiction is by this paragraph given to the High Court at Patna shall cease.

(2) Notwithstanding anything in sub-paragraph (1) of this paragraph—

- (a) all proceedings pending in any such other High Court as aforesaid on the appointed day shall be continued in that Court ;
- (b) all proceedings with reference to any decree or order passed or made by any such other High Court shall, after the appointed day, be instituted in that High Court and not in the High Court at Patna :

Provided that any such other High Court as aforesaid may, if it appears to it that, having regard to any alteration of the boundaries affected by this Order, any case pending therein on the appointed day ought to be transferred to the High Court at Patna, direct that that case shall be so transferred, and it shall be transferred accordingly.

(3) The Letters Patent of the High Courts which immediately before the appointed day had jurisdiction in any part of Orissa shall be read with and construed as modified by this Order.

20. Subject to the provisions of the last preceding paragraph, the Governor-General in Council may, after consulting the local governments and High Courts concerned, give such directions as he thinks proper as to the disposal of any cases pending on, or shortly before, the appointed day in any court acting for an area, any part of which is transferred by this Order to Orissa, and as

to the courts in which proceedings by way of appeal or revision are to lie in cases decided by any such courts before the appointed day.

21. The Council of State Electoral Rules and the Legislative Assembly Electoral Rules and any Regulations applied thereby shall, until amended by competent authority, have effect as if Bihar and Orissa continued to be one Province with the same boundaries as immediately before the appointed day, and as if the boundaries of the Presidency of Madras and of the Central Provinces had not been altered :

Provided that anything required by the said Rules or Regulations to be done by the Governor, the local government or officials of Bihar and Orissa, of Madras or of the Central Provinces shall be done by such Governor, local government or officials as the Governor-General in Council may direct.

22.—(1) There shall be an apportionment of assets and liabilities between Orissa and the Governor's Provinces from which areas are separated by this Order, and that apportionment shall be made in accordance with the provisions contained in the Third Schedule to this Order.

(2) Any dispute arising under the said provisions shall be referred to and finally decided by the Secretary of State in Council or, after the commencement of Part III of the Act, the Secretary of State.

23.—(1) Such persons serving under the Crown immediately before the appointed day in, or in connection with the affairs of, the Presidency of Madras, the Province of Bihar and Orissa or the Central Provinces, as may be determined by agreement between the Governments concerned, or, in default of agreement, by the Governor-General in Council, may, notwithstanding anything in the terms of their appointments or their conditions of service, be required to serve in, or in connection with the affairs of Orissa.

(2) The power conferred by this paragraph to require a person to serve in, or in connection with the affairs of, Orissa shall be exercised subject to any conditions for the protection of the persons concerned prescribed by the Governor-General in Council, either generally or in relation to particular persons or classes of persons.

24. Any appointment made under Part III of this Order of a person to be Governor of Orissa shall as from the commencement of Part III of the Act have effect as if it were an appointment made under section forty-eight thereof.

25. Until other provision is made under the Act, any officer who immediately before the commencement of Part III of the Act was exercising any functions by virtue of anything done under Part III of this Order shall continue to exercise those functions.

26. The provisions of this Order shall not be deemed to have effected any change in the territorial application of any enactment, notwithstanding that that enactment is expressed to apply or extend to the territories for the time being under a particular administration :

Provided that nothing in this paragraph shall be construed as affecting the power to make regulations for Orissa under section seventy-one of the Government of India Act as applied by this Order.

27. For the purpose of facilitating the application in relation to Orissa of any enactment, notification, order, scheme, rule, form or byelaw passed, issued or made before the appointed day, any Court may, subject to any express provision of this Order, construe the enactment, notification, order, scheme, rule, form or byelaw with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court.

M. P. A. Hankey.

Para. 3.

FIRST SCHEDULE.

PART I.

AREAS COMPRISED IN THE PROVINCE OF ORISSA.

1. That portion of the Province of Bihar and Orissa which is at the date of this Order known as the Orissa Division thereof.
2. Areas transferred from the Presidency of Madras :—
 - (i) The Ganjam Agency Tracts ;
 - (ii) The following areas in the non-Agency portion of the Ganjam district, viz. the taluks of Ghumsur, Aska, Surada, Kodala and Chatrapur, and so much of the taluks of Ichapur and Berhampur as lies to the north and west of the line described in Part II of this Schedule ;
 - (iii) So much of the Parlakimedi estate as lies to the north and east of the said line ; and
 - (iv) The following areas in the Vizagapatam district, that is to say, the Jeypore (Impartible) Estate and so much of the Pottangi taluk as is not included in that estate.
3. Areas transferred from the Central Provinces :—
 - (i) The Khariar Zamindari in the Raipur district ; and
 - (ii) The Padampur Tract in the Bilaspur district, that is to say, the detached portion of that district consisting of fifty-four villages of the Chandrapur Padampur estate and also of the following seven villages, namely, Kuhakunda, Badimal, Panchpudgia (Soda), Barhampura (Malguzari), Panchpuragia (Palsada), Jogni, and Thakurpali (Jogni).

PART II.

THE LAND BOUNDARY OF ORISSA.

A. The main portion of Orissa.

The boundary follows a line which starts in latitude $19^{\circ} 5'$ (approximate), at the point on the coast of the Bay of Bengal where the boundary of Patisonnapuram village, after following the coast from north to south, turns inland. From that point it runs along the existing village boundary (so as to include the village in Orissa) until it meets the boundary of the Berhampur taluk at a sharp re-entrant angle in that boundary ; thence along the northern arm of that taluk boundary until it meets the south-eastern boundary of Chikati estate ; thence along that estate boundary westwards and southwards until it again meets the boundary of the Berhampur taluk ; thence along that taluk boundary south-westwards until it meets the boundary of Jаланtra estate ; thence along that estate boundary westwards until it meets the boundary of the Ganjam Agency ; thence south-westwards along the boundary of that Agency until it meets the boundary of the Parlakimedi Estate ; thence eastwards and southwards along that boundary to the point where the southern boundary of Peddahamsa village leaves the estate boundary ; thence through the estate to the south-west corner of the village of Pedda

Murangi along existing village boundaries so as to include in Orissa the villages of Peddahamsa, Labonyogodo, Baduobada, Mamidipalle and Pedda Murangi (including Lavanya Kotta Reserved Forest); from the south-west corner of Pedda Murangi along the west boundary of the village of Mara, the north-western forest boundary of Banapuram Reserved Forest, the northern boundary of the village of Bagadalla and the northern boundary of the village of Surjani to the most northerly point (approximately) of the last-mentioned boundary; thence in a northerly direction for a distance of about half a mile across the saddle in the hills to the south-eastern corner of the village of Kosali; thence to the point where the south-west corner of the village of Omora meets the Mahendratana river along existing village boundaries so as to include in Orissa the villages of Kosali, Jangalapadu, Saradapuram, Agarakhadi, Bhinnola, Dhamidigam and Omora; from the last-mentioned point in a westerly direction along the middle line of that river to the south-west corner of the village of Kaviti Khaspa; thence to the point where the western boundary of the village of Singupuram Agraharam meets the southern forest boundary of the Kurlanda Reserved Forest along existing village boundaries so as to include in Orissa the villages of Kaviti Khaspa, Cheruvudiguvu, Venkatapuram, Peddaklinga (I), Mukkidipadu (I), Ranipeta, Siddamanugu (I) and Singupuram Agraharam; thence along the southern forest boundary of Kurlanda Reserved Forest until it meets the boundary of the village of Minigam; thence to the point where the eastern boundary of the village of Kinigam meets the Vamsadhara river along existing village boundaries so as to include in Orissa Kurlanda Reserved Forest, the villages of Minigam, Sitapuram, Kharada, Vistala, Hadobhangi, Jayapuram, Nilapuram and Kinigam; thence in a north-westerly direction along the middle line of the river until it meets the boundary of the Ganjam district; thence along that district boundary, which is there the boundary also of the Jeypore (Impartible) Estate, westwards and southwards until that estate boundary diverges from the district boundary; thence along that estate boundary (so as to include the estate in Orissa) until it meets the eastern boundary of the Pottangi taluk; thence along that taluk boundary (so as to include the taluk in Orissa) until it again meets the boundary of the Jeypore (Impartible) Estate; thence along that estate boundary until it meets the boundary of the Madras Presidency; thence northwards, south-eastwards and again northwards along the Presidency boundary until it meets the boundary of the south-western portion of the Angul District; thence along the west, north and east boundaries of that portion of that district until it again meets the Presidency boundary at a point where that boundary is also the boundary of the Eastern States Agency; thence along the boundary of that Agency until it meets the boundary of the Bengal Presidency; and thence in a south-easterly direction along the Presidency boundary to the sea.

B. The detached portion of the Province formed by the part of the existing Angul district of the Province of Bihar and Orissa which is wholly surrounded by Indian States.

The boundary follows the existing boundary.

C. The detached portion of the Province formed by the Sambalpur district of the Province of Bihar and Orissa and the two areas transferred from the Central Provinces.

The boundary follows the existing boundaries.

Para. 18.

SECOND SCHEDULE.

PROVISIONS WITH RESPECT TO THE LEGISLATIVE COUNCILS OF BIHAR,
MADRAS AND THE CENTRAL PROVINCES.*General.*

1.—(1) In this Schedule—

the expression "Province of Bihar" means the Province which is known at the date of this Order as Bihar and Orissa but as from the appointed day is to be known as Bihar;

the expression "Council" means the Legislative Council of the Province of Bihar, of the Presidency of Madras, or of the Central Provinces, as the context may require;

the expression "transferred area" means an area separated by or under section two hundred and eighty-nine of the Act from the Province of Bihar, the Presidency of Madras or the Central Provinces and the expression "transfer of area" shall be construed accordingly.

(2) For the purposes of this Schedule a constituency shall be deemed to be altered if its extent is reduced by a transfer of area, or if the qualification of electors for the constituency depends upon the residence of a person or the situation of property within, or some other fact related to, a Province, constituency or other limits of which the extent is so reduced.

2. A transferred area shall cease to form part of any constituency returning a member to sit in any Council.

3. Subject to the special provisions of this Order relating to Ganjam, a person who immediately before the appointed day was a member of a Council for any constituency which will on that day be altered shall continue to represent that constituency as if he had been elected to represent that constituency as altered, and shall, until the next dissolution of the Council, be deemed to have been, and to be, duly qualified to be so elected and to be a member for the constituency as altered.

4. If, by reason of the said special provisions or otherwise, a by-election falls to be held for any altered constituency between the appointed day and the completion of the next general revision of the electoral roll for that constituency, a person shall not be entitled to vote or eligible for election by reason of his inclusion in a part of the roll which relates solely to a transferred area, but, save as aforesaid, any person shall be entitled to vote who would have been entitled to vote if the constituency had not been altered.

Special Provisions as to Bihar.

5.—(1) On the appointed day—

(a) the constituencies mentioned in sub-paragraph (2) of this paragraph shall cease to be constituencies returning members to sit in the Council;

(b) such two of the nominated members of the Council who are officials as the Governor may determine shall vacate their seats; and

- (c) the number of elected members of the Council shall be reduced by ten, the number of nominated members and the number of such members who may be officials shall each be reduced by two, and the total number of members shall be reduced by twelve.

(2) The constituencies referred to in the last preceding paragraph are the following, namely:—Orissa Division (Non-Muhammadan Urban), Orissa Division (Muhammadan Rural), North Cuttack (Non-Muhammadan Rural), South Cuttack (Non-Muhammadan Rural), North Balasore (Non-Muhammadan Rural), South Balasore (Non-Muhammadan Rural), North Puri (Non-Muhammadan Rural), South Puri (Non-Muhammadan Rural), Sambalpur (Non-Muhammadan Rural), Orissa Division Landholders.

Special Provisions as to Madras.

6.—(1) As from the appointed day, the constituency of Ganjam shall be represented on the Council by one member instead of by three members and the number of elected members of the Council and the total number of members thereof shall each be reduced by two.

(2) The persons who immediately before the appointed day are members for the said constituency shall vacate their seats on that day, and a by-election shall be held for the election of one member to represent that constituency:

Provided that, if immediately before the appointed day two of the three seats allotted to that constituency are vacant, the provisions of paragraph three shall apply to the person holding the other seat.

THIRD SCHEDULE.

Para 22.

PROVISIONS AS TO APPORTIONMENT.

PART I.

ADJUSTMENTS BETWEEN BIHAR AND ORISSA.

1. Subject to the provisions of this Part of this Schedule relating to unissued stores, all land, works, forests, buildings and contents of buildings shall remain the property of, or, as the case may be, pass to, the Province in which they are situated.

2. Arrears of taxes shall belong to the Province in which the taxed property is situate or the taxed transactions took place.

3. Of the outstanding Bihar and Orissa Irrigation Debt incurred before the first day of April, nineteen hundred and twenty-one, twenty-five million, six hundred and eighty-five thousand one hundred and thirty-six rupees shall be the debt of Orissa and the remainder shall be the debt of Bihar.

4. Any sums due on or after the appointed day in respect of loans made before the appointed day from the Provincial Loans Account shall belong to the Province in whose area the persons from whom the sums are due were resident on the appointed day.

5. Bihar shall retain the whole of the free provincial balance and the whole of the Famine Relief Fund, and Orissa shall, subject to the provisions of paragraph four, have no claim on, or liability in respect of, the Provincial Loans Account.

6. Of the free balance standing to the credit of the Bihar and Orissa Road Fund, Orissa shall receive one-tenth and the residue shall be retained by Bihar :

Provided that sums already allocated on the appointed day to specific projects may be spent on those projects and shall not be deemed to form part of the free balance of the Fund.

7. Borrowed money unexpended on the appointed day together with the corresponding liability shall be divided between the two Provinces in such manner as may be mutually convenient to both.

8. Reserve funds shall be divided between the two Provinces according as the purposes of the funds are purposes of the one Province or the other.

9. If and in so far as any item in suspense is ultimately found to affect any capital head referred to in the foregoing paragraphs of this Part of this Schedule, it shall be dealt with in accordance with the provisions of the relevant paragraph.

10. Any substantial quantities of unissued stores of any class shall be divided between Orissa and Bihar in proportion to the indents for stores of that class made in the three years immediately preceding the appointed day for the Orissa Division, and the remainder of Bihar and Orissa, respectively.

11.--(1) Subject to the adjustment mentioned in sub-paragraph (3) of this paragraph, liabilities in respect of pensions granted by Bihar and Orissa before the appointed day shall, in the case of pensions which, immediately before the appointed day, were being paid from treasuries in Orissa, be liabilities of Orissa, and in other cases be liabilities of Bihar.

(2) Subject to the said adjustment, liabilities in respect of pensions granted after the appointed day shall be liabilities of the Province granting the pension.

(3) There shall be computed for each month after the appointed day the total liability of each Province—

- (a) in respect of pensions granted by Bihar and Orissa before the appointed day ;
- (b) in respect of so much of any pensions granted after the appointed day to or in respect of persons who remain available for service in both Provinces as is attributable to service before the appointed day,

and Orissa shall pay to Bihar monthly the amount by which the total liability of Bihar for that month exceeds eighty-one per cent. of the total liability of both Provinces for that month.

(4) Any question as to how much of any pension is attributable to service before the appointed day shall be determined by comparing the length of the service of the officer in question before the appointed day with the length of his service after the appointed day.

(5) Nothing in this paragraph shall be taken as prohibiting the payment from treasuries in the one Province of pensions which are the liability of the other, and if any pensions are so paid the necessary adjustments shall be made between the two Provinces.

12.—(1) The provisions of this paragraph shall, for the twenty-five years commencing on the appointed day, have effect with respect to Government hospitals and educational institutions in Bihar (including any therapeutic institute or reformatory school) which before the appointed day served both Bihar and Orissa.

(2) There shall be reserved for Orissa either—

- (a) the specific number of places reserved for residents in Orissa immediately before the appointed day ; or
- (b) if a specific number of places was not so reserved, a number of places as near as may be equal to the average number of places filled by residents in Orissa during the three years immediately preceding the appointed day.

(3) The charge to be made for admittance to the places aforesaid shall be calculated on a cost basis, account being taken of the pensions which will ultimately be payable to and in respect of the staff, and of debt outstanding on the appointed day or incurred after the appointed day, but no account being otherwise taken of capital expenditure incurred before the appointed day :

Provided that the charge made for admittance to the said places shall in no case exceed that made in respect of other persons resident outside Bihar.

(4) If for any five consecutive years after the appointed day Orissa fails to fill any of the places so reserved, the right of Orissa to that place shall lapse.

PART II.

ADJUSTMENTS BETWEEN MADRAS AND ORISSA.

1. All land, works, forests, buildings and contents of buildings in a transferred area shall pass to Orissa.

2. Arrears of taxes in respect of property or transactions in a transferred area shall belong to Orissa.

3. Orissa shall assume, and Madras shall be relieved from, liability for four million, seven hundred and seven thousand and eight rupees of the outstanding Madras Irrigation Debt incurred before the first day of April, nineteen hundred and twenty-one.

4. Orissa shall assume, and Madras shall be relieved from, liability for so much of the outstanding loan debt as was contracted for the construction of a bridge over the Kolab River in the financial year ending on the last day of March, nineteen hundred and twenty-five.

5. Any sums due on or after the appointed day in respect of loans made before the appointed day from the Provincial Loans Account shall belong to the Province in whose area the persons from whom the sums are due were resident on the appointed day.

6. Borrowed money unexpended on the appointed day together with the corresponding liability shall be divided between the two Provinces in such manner as may be mutually convenient to both.

7. Reserve funds shall be divided between the two Provinces according as the purposes of the funds are purposes of the one Province or the other.

8. If and in so far as any item in suspense is ultimately found to affect any capital head referred to in the foregoing paragraphs of this Part of this Schedule it shall be dealt with in accordance with the provisions of the relevant paragraph.

9.—(1) Liabilities in respect of pensions shall—

- (a) in the case of pensions granted by Madras before the appointed day which immediately before the appointed day were being paid from treasuries in a transferred area, be liabilities of Orissa ;
- (b) in the case of other pensions granted by Madras before the appointed day, be liabilities of Madras ;
- (c) in the case of pensions granted after the appointed day, be liabilities of the Province granting the pension.

(2) Nothing in this paragraph shall be taken as prohibiting the payment from treasuries in the one Province of pensions which are the liability of the other, and if any pensions are so paid the necessary adjustments shall be made between the two Provinces.

10.—(1) The provisions of this paragraph shall, for the twenty-five years commencing on the appointed day, have effect with respect to Madras Government educational institutions which before the appointed day served not only Madras but also any area comprised in Orissa as constituted by this Order.

(2) There shall be reserved for Orissa either—

- (a) the specific number of places reserved for residents in Orissa immediately before the appointed day ; or
- (b) if a specific number of places was not so reserved, a number of places as near as may be equal to the average number of places filled by residents in Orissa during the three years immediately preceding the appointed day.

(3) The charge to be made for admittance to the places aforesaid shall be calculated on a cost basis, account being taken of the pensions which will ultimately be payable to and in respect of the staff, and of debt outstanding on the appointed day or incurred after the appointed day, but no account being otherwise taken of capital expenditure incurred before the appointed day :

Provided that the charge made for admittance to the said places shall in no case exceed that made in respect of other persons resident outside Madras.

(4) If for any five consecutive years after the appointed day Orissa fails to fill any of the places so reserved, the right of Orissa to that place shall lapse.

PART III.

ADJUSTMENTS BETWEEN THE CENTRAL PROVINCES AND ORISSA.

1. All land, works, forests, buildings and contents of buildings in a transferred area shall pass to Orissa.
2. Arrears of taxes in respect of property or transactions in a transferred area shall belong to Orissa.
3. Immovable property in a transferred area vested immediately before the appointed day in the Raipur District Council or the Bilaspur District Council shall vest in the Sambalpur District Council on such terms as the Government of the Central Provinces and the Government of Orissa may by mutual agreement determine, or as in the default of such agreement may be determined by the Governor-General in Council.
4. As respects any other assets and liabilities of the Raipur District Council and the Bilaspur District Council there shall be made between those Councils respectively and the Sambalpur District Council such apportionments on such terms as the Government of the Central Provinces and the Government of Orissa may by mutual agreement determine, or as in default of such agreement may be determined by the Governor-General in Council, regard being had to the transfer of areas effected by this Order.

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any Bookseller

1936

Price 4*d.* Net

42

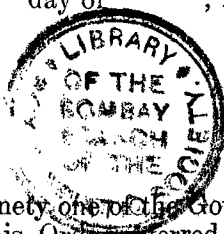
DRAFT STATUTORY RULES AND ORDERS
1936, No.

INDIA

THE GOVERNMENT OF INDIA (EXCLUDED AND PARTIALLY EXCLUDED
5 AREAS) ORDER, 1936

At the Court at Buckingham Palace, the day of , 1936.

Present,



WHEREAS by subsection (1) of section ninety-one of the Govern-
ment of India Act, 1935 (hereafter in this Order referred to as
10 "the Act"), His Majesty in Council is empowered to declare what
areas are to be excluded areas and partially excluded areas within
the meaning of the Act :

AND WHEREAS a draft of this Order has been laid before
Parliament in accordance with the provisions of subsection (1) of
15 section three hundred and nine of the Act and an Address has been
presented to His Majesty by both Houses of Parliament praying
that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the
powers conferred on him as aforesaid and of all other powers
20 enabling him in that behalf, is pleased by and with the advice of
his Privy Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as "The Government of India
(Excluded and Partially Excluded Areas) Order, 1936."

2. The areas specified in Part I of the Schedule to this Order
25 shall be the excluded areas, and the areas specified in Part II of
that Schedule the partially excluded areas, within the meaning of
the Act.

3. Any reference in the said Schedule to any District,
administrative area or estate shall be construed as a reference to
30 that District, area or estate as existing on the first day of January,
nineteen hundred and thirty-six.

SCHEDULE.

PART I.—EXCLUDED AREAS.

Madras.

The Laccadive Islands (including Minicoy) and the Amindivi Islands.

Bengal.

The Chittagong Hill Tracts.

5

The Punjab.

Spiti and Lahaul in the Kangra District.

Assam.

The North-East Frontier (Sadiya, Balipara and Lakhimpur) Tracts.

10

The Naga Hills District.

The Lushai Hills District.

The North Cachar Hills sub-division of the Cachar District.

The North-West Frontier Province.

Upper Tanawal in the Hazara District.

15

PART II.—PARTIALLY EXCLUDED AREAS.

Madras.

The East Godavari Agency and so much of the Vizagapatam Agency as is not transferred to Orissa under the provisions of the Government of India (Constitution of Orissa) Order, 1936.

Bombay.

In the West Khandesh District, the Shahada, Nandurbar and Taloda Taluks, the Navapur Petha and the Akrani Mahal, and the villages belonging to the following Mehwasli chiefs, namely, (1) the Parvi of Kathi, (2) the Parvi of Nal, (3) the Parvi of Singpur, (4) the Walvi of Gaohali, (5) the Wassawa of Chikhli, and (6) the Parvi of Navalpur.

25

The Satpura Hills reserved forest areas of the East Khandesh District.

The Kalvan Taluk and Peint Petha of the Nasik District.

The Dahanu and Shahapur Taluks and the Mokhada and Umbergaon Pethas of the Thana District.

30

The Dohad Taluk and the Jhalod Mahal of the Broach and Panch Mahals District.

Bengal.

The Darjeeling District.

35

The Sherpur and Susang Parganas of the Mymensingh District.

The United Provinces.

The Jaunsar-Bawar Pargana of the Dehra Dun District.

The portion of the Mirzapur District south of the Kaimur range.

Bihar.

40

The Chota Nagpur Division.

The Santal Parganas District.

The Central Provinces and Berar.

- In the Chanda District, the Ahiri Zamindari in the Sironcha tahsil, the Dhanora, Dudmala, Gewardha, Jharapapra, Khutgaon, Kotgal, Muramgaon, Palasgarh, Rangi, Sirsundi, Sonsari, Chandala, Gilgaon, Pai-
 5 Muranda and Potegaon Zamindaris, and the Garchiroli tahsil.
 The Harrai, Gorakghat, Gorpani, Batkagarh, Bardagarh, Partapgarh (Pagara), Almod and Sonpur jagirs of the Chhindwara District, and the portion of the Pachmarhi jagir in the Chhindwara District.
 The Mandla District.
 10 The Pendra, Kenda, Matin, Lapha, Uprora, Chhuzi and Korba Zamindaris of the Bilaspur District.
 The Aundhi, Koracha, Panabaras and Ambagarh Chauki Zamindaris of the Drug District.
 The Baihar Tahsil of the Balaghat District.
 15 The Melghat taluk of the Amraoti District.
 The Bhainsdehi Tahsil of the Betul District.

Assam.

- The Garo Hills District.
 The Mikir Hills (in the Nowgong and Sibsagar Districts).
 20 The British portion of the Khasi and Jaintia Hills District, other than the Shillong Municipality and Cantonment.

Orissa.

- The District of Angul.
 The District of Sambalpur.
 25 The areas transferred from the Central Provinces under the provisions of the Government of India (Constitution of Orissa) Order, 1936.
 The Ganjam Agency Tracts.
 The areas transferred to Orissa under the provisions of the aforesaid Order from the Vizagapatam Agency in the Presidency of Madras.

Digitized with financial assistance from



H T Parekh
 FOUNDATION
 (4402) Wt. 2 1500 1.36 I.O.P.

An Initiative by



WITH YOU, RIGHT THROUGH

on 10 January, 2019

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any Bookseller

1936

Price 1*d.* Net